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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Khaleel

Attorney Docket No.: NWISP049

Application No.: 10/775,974

Examiner: LAU, TUNG S.

Filed: February 9, 2004

Group: 2863

Title: HISTOGRAM PERFORMANCE
COUNTERS FOR USE IN TRANSACTION
LATENCY ANALYSIS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on November 22, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Mia Mitchell-Haynes

NOTICE OF APPEAL

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed November 1, 2005 finally rejecting Claims 1-33 and 35-46.

The item(s) checked below are appropriate:

Appeal Fee: ☐ \$250.00 (Small Entity) ☒ \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

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| | <u>Months</u> | <u>Large Entity</u> | <u>Small Entity</u> |
|--------------------------|---------------|---------------------|---------------------|
| <input type="checkbox"/> | one | \$120.00 | \$ 60.00 |
| <input type="checkbox"/> | two | \$450.00 | \$225.00 |
| <input type="checkbox"/> | three | \$1,020.00 | \$510.00 |

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for _____ month(s) has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

| | |
|------------------------|-----------------|
| Notice of Appeal Fee | \$500.00 |
| Extension Fee (if any) | \$ |
| Total Fee Due | \$500.00 |

☒ Enclosed is Check No. 11293 in the amount of \$500.00

☒ Charge any additional fees or credit any overpayment to Deposit Account No. 500388, (Order No. NWISP049).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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